

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**TENNESSEE CONFERENCE of the  
NATIONAL ASSOCIATION for the  
ADVANCEMENT of COLORED  
PEOPLE, et al.,**

**Plaintiffs,**

**v.**

**WILLIAM LEE, et al.,**

**Defendants.**

**NO. 3:20-cv-01039**

**JUDGE CAMPBELL**

**MAGISTRATE JUDGE FRENSEY**

**ORDER**

Pending before the Court is Defendants' motion for additional time and additional pages to reply to Plaintiffs' summary judgment response. (Doc. No. 279). Through the pending motion, Defendants request leave to file a reply 30 pages in length by a new deadline of September 9, 2024. (*Id.* ¶¶ 8, 12). Plaintiffs oppose the motion. (Doc. No. 280). For the reasons stated below, the motion (Doc. No. 279) is **DENIED**.

Under Local Rule 7.01(a)(4), a reply memorandum shall not exceed 5 pages without leave of Court.<sup>1</sup> Last summer, the Court granted the parties' joint motion for leave to file reply memoranda not to exceed 10 pages in length. (Doc. Nos. 148, 149). Around the same time, the parties stipulated to a shortened deadline of 7 days for replies under Local Rule 56.01(d) instead of the standard deadline of 14 days. (Doc. Nos. 144, 145). However, earlier this year, the Court *sua sponte* granted Defendants an additional 7 days to file an optional reply. (Doc. No. 214). Thus,

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<sup>1</sup> Local Rule 7.01(a)(2) and (a)(3) provide that memoranda in support of a motion and in response to a motion shall not exceed 25 pages without leave of court.

Defendants have already been granted additional time and pages to reply to Plaintiffs' summary judgment response. (*See* Doc. Nos. 149, 145, 214).


Nevertheless, Defendants seek leave to file "more than five (5) pages" for their reply in support of summary judgment on the grounds that "substantial factual development" has occurred since they filed their motion in August 2023. (Doc. No. 279 ¶ 11). As noted above, Defendants have already been granted leave of Court to file a reply not to exceed 10 pages in length. (Doc. No. 149). Additionally, the cited grounds of "substantial factual development" appears to be at odds with Defendants' notice filed on August 1, 2024, representing that the State has not made any revisions or changes to its policies for voting rights restoration since July 21, 2023, except for one implementing policy at TDOC and a "confirmation" about the meaning of the phrase "full rights of citizenship." (Doc. No. 274). Moreover, Defendants' memorandum in support of their motion for summary judgment contained just 17 pages of argument as to Counts 1-3. (*See* Doc. No. 151 at PageID # 1061-64, 1068-80, 1086-87).

Defendants have already been granted leave to file more than 5 five pages for their reply, and they have failed to show good cause for a reply brief more than twice as long as their original argument and six times as long as the ordinary reply brief in this Court. Accordingly, the motion (Doc. No. 279) is **DENIED** as to the request for leave to file additional pages.

The Court next turns to Defendants' request for an extension of 25 days to file their reply. (Doc. No. 279 ¶ 8). Defendants submit there is good cause to grant their requested extension because drafting Defendants' reply will require defense counsel to respond to Plaintiffs' statements of fact and review Plaintiffs' supplemental discovery and the exhibits filed with Plaintiffs' response. (*Id.* ¶ 6). That counsel needs to review the record and opposing parties' discovery is not good cause for an extension of time to file a reply. This is especially so here where the parties

previously stipulated to a shortened reply deadline and the Court has already granted Defendants an additional week. (*See* Doc. Nos. 145, 214). Accordingly, the motion (Doc. No. 279) is **DENIED** as to the request for additional time. Defendants may file an optional reply, not to exceed 10 pages in length, on or before Thursday, August 15, 2024.

It is so **ORDERED**.

  
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WILLIAM L. CAMPBELL, JR.  
CHIEF UNITED STATES DISTRICT JUDGE